

Application No. 10/719,032
Response to Office Action

Customer No. 01933

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner's indication of the allowability of the subject matter of claim 2 is respectfully acknowledged.

Claim 2, however, has not been rewritten in independent form at this time since, as set forth in detail hereinbelow, it is respectfully submitted that its parent claim 1 also recites allowable subject matter.

THE CLAIMS

Claims 1 and 2 have been amended to make minor grammatical improvements and to correct minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

In addition, claims 3 and 4 have been prepared to recite additional features of the link recited in claim 2, as supported by the disclosure in the specification at, for example, page 13, line 16 to page 14, line 10.

Still further, new independent claim 5 has been prepared to correspond to amended independent claim 1 and to recite even more clearly that an angle detecting unit is mounted directly to the

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frame, as supported by the disclosure in the specification at, for example, page 13, lines 16 and 17.

No new matter has been added, and it is respectfully requested that the amendments to claims 1 and 2 and the addition of new claims 3-5 be approved and entered.

It is respectfully submitted, moreover, that the amendments to claims 1 and 2 are not related to patentability, and do not narrow the scope of the claims either literally or under the doctrine of equivalents.

THE PRIOR ART REJECTION

Claims 1 and 2 were rejected under 35 USC 102 as being anticipated by JP 5-45300 ("Shibuya et al"), as described on pages 1 and 2 of the specification of the present application. This rejection, however, is respectfully traversed.

As recognized by the Examiner, Shibuya et al discloses an angular sensor provided at a rotary shaft of a toggle block, which is connected to a frame. Therefore, the Examiner asserts that the angular sensor of Shibuya et al is mounted (indirectly) to the frame.

It is respectfully pointed out, however, that the present invention as recited in claim 1 comprises both a frame and a rotary member (toggle link), and that claim 1 recites that the

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angle detecting unit is mounted to the frame (and does not recite that the angle detecting unit is mounted to the rotary member).

That is, it is respectfully submitted that according to the present invention as recited in independent claim 1, the angle detecting unit is mounted to the frame, and is not 'mounted to the rotary member, which in turn is mounted to the frame'.

It is respectfully submitted, therefore, that independent claim 1 clearly patentably distinguishes over Shibuya et al, which only discloses that the angular sensor is mounted to the toggle block, which in turn is connected to the frame.

In addition, it is respectfully submitted that Shibuya et al clearly does not disclose, teach or suggest the feature of the present invention as recited in new independent claim 5, whereby the angle detecting unit is directly mounted to the frame, since as acknowledged by the Examiner Shibuya et al discloses only an indirect connection between the angular sensor and the frame thereof.

In view of the foregoing, it is respectfully submitted that the present invention as recited in independent claim 1, claims 2-4 depending therefrom, and new independent claim 5, clearly patentably distinguishes over Shibuya et al, under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,


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